

**BOARD OF ZONING APPEALS**  
**CITY OF MILWAUKEE**

**REGULAR MEETING – May 29, 2003**  
**City Hall, Common Council Committee Room 301-B**

***MINUTES***

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PRESENT:

**Chairman:** Craig H. Zetley *(voting on items 1-76 )*

**Members:** Henry P. Szymanski *(voting on items 1-69, 73-76 )*  
Scott R. Winkler *(voting on items 29-69, 70-73, 75 )*  
Catherine M. Doyle *(voting on items 1-34, 36-43, 45-68, 73-76 )*  
Roy B. Nabors *(voting on items 40-69, 70-76 )*

**Alt. Board Members:** Georgia M. Cameron *(voting on items 1-28, 35, 44, 69, 70-72,74 )*  
Donald Jackson *(voting on items 1-39, 70, 71, 72 )*

START TIME: 2:15 p.m.

End Time: 9:03 p.m.

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<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	24935 Special Use	Anthony Leslie Independent Auto & Body Works; Prospective Buyer  Request to occupy the premises as a motor vehicle repair facility.	5206 W. Hopkins St. 9th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	24731 Special Use	Richard & Maria Jenkins, Property Owner  Request to add a day care center for 35 children ages 6wks-12yrs, Monday- Friday 6:00am-12:00am, to the existing church.	814 S. 5th St. 12th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	24185 Dimensional Variance	Clear Channel Outdoor, Lessee  Request to construct a 10.5 ft x 36ft off premise advertising sign adjacent to the freeway.	9715 W. Blue Mound Rd. 16th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	24604 Special Use	Marion Wright, Lessee  Request to occupy the premises as a 24hr day care center for 60 children ages 6wks-12yrs, Monday-Friday.	7113 W. Capitol Dr. A/K/A 7115 W. Capitol Dr. 2nd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	24929 Special Use	Children's World Learning Center Lessee  Request to continue occupy the premises as a day care center for 90 children ages 6wks-12yrs, Monday-Friday 6:00am- 6:00pm.	7935 W. Burleigh St. A/K/A 7931 W. Burleigh St. 5th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
6	24942 Special Use	Geoff Lowry, Property Owner  Request to occupy the premises as a day care center for 148 children ages infant-12yrs, Monday-Friday 6:30am-5:30pm.	7800 W. Fond Du Lac Av. 5th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
7	24959 Special Use	Oldies & Goodies Resale and Consignment Shop, Lessee  Request to occupy the premises as a second-hand store.	3717 N. 92nd St. A/K/A 3715 N. 92nd St. 5th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</li> <li>5. That no merchandise is displayed outside.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	24916 Special Use	Margaret Roberson & Michele Turner Lessee  Request to increase the number of children from 119 to 229 ages 4wks-12yrs of the existing day care center(increasing the amount of building units from 8 to 10) Monday-Friday 5:30am-1:00am.	8711B-17 W. Fond Du Lac Av. A/K/A 8701-29 W. Fond Du Lac 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as clear glass and are maintained in an attractive manner.</p> <p>5. That the outdoor play area is increased in size to a minimum of 3,000 square feet and is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</p> <p>6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on December 27, 2010.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	24932 Special Use	Patrica A. Wilber, Property Owner  Request to occupy the 1st floor of the premises as a general office.	3201 N. Holton St. A/K/A 3201-05 N. Holton St. 6th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s.295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows are restored to clear glass and are maintained in an attractive manner.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
10	24945 Special Use	Jennifer Rodman, Lessee  Request to continue occupying the southeast portion of first floor as a second-hand sales facility (clothing).	2225 N. Humboldt Av. A/K/A 2227-31 N. Humboldt Av. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That all previous conditions of the Board regarding this property are complied with.</li> <li>5. That there is no outdoor display of merchandise.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	
11	24921 Dimensional Variance	Blesses Deliverance Missionary Baptist Church Inc. c/o Mr. Bill Gailbreath;Property Owner  Request to construct a religious assembly hall on the premises.	2215 N. 23rd St. A/K/A 2200 N. 24th St 7th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the petitioner build in accordance with plans submitted.</li> <li>4. That this Variance is granted to run with the land.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
12	24924 Special Use	Boys & Girls Clubs of Greater Milwaukee, Lessee  Request to continue occupying the premises as a community center.	3000 N. Sherman Bl. A/K/A 3001 N. 41st St. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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13	24973 Special Use	Columbia Savings and Loan Association Prospective Buyer  Request to combined the parcels and construct a financial institution (bank) with a drive through facility without the required queue lane of 200 ft.	2020 W. Fond Du Lac Av. A/K/A 2016, 2024-26& 2028-40 W. Fond Du Lac Ave. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That revised landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically, the revised landscape plan should include the name of all plant species to be used and should also include detailed specifications for the proposed decorative fence.</p> <p>5. That signage plans for any additional signs must meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code and must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
14	24933 Special Use	Junior Educational Development Academy, Inc., Lessee  Request to occupy the premises as a secondary school.	3002 W. Silver Spring Dr. 9th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	



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15	24941 Special Use	Wilders Transport, Inc. DRW Management Assoc.;Lessee  Request to occupy the premises as a ground transportation service facility.	8042 N. 76th St. A/K/A 8042-82 N. 76th St. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
16	24915 Special Use	Veronica McKelvin, Property Owner  Request to occupy the premises as a 24 hr. day care center for 96 children(32 per shift)ages 2 1/2 yrs-12yrs Monday-Sunday.	3632 W. Burleigh St. A/K/A 3630 W. Burleigh St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
17	24960 Use Variance	Gary John Gresl Milwaukee Antique Center for Kal LTD.;Prospective Buyer  Request to occupy a portion of the premises as a general retail establishment(antique store).	420 S. 1st St. 12th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	

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18	24937 Special Use	Garrett W. McIntosh Scrub-a-Dub Car Wash;Property Owner  Request to add a motor vehicle repair facility to the existing car wash.	6231 S. Howell Av. A/K/A 6221-6231 S. Howell Ave. 13th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
19	24943 Special Use	Nadeem A Qureshi Property Owner  Request to occupy the premises as a fast/food carry-out restaurant.	1032 W. Burleigh St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
20	24948 Special Use	Michael H. Prosser Prosser Enterprises;Property Owner  Request to include the sales and rental of recreational vehicles(motor home)to the existing motor vehicle sales and rental facility.	6146 S. Howell Av. 13th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on November 8, 2009.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	24949 Special Use	Jeffrey Steren, Property Owner  Request to increase the hours of the drive-thru facility to be 24hrs of the existing fast food/carry-out restaurant.	191 W. Layton Av. 13th Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
22	24926 Special Use	Jeffrey M. Benske, Lessee  Request to occupy the 1st floor of the premises as a secondhand sales facility.	2358 S. Kinnickinnic Av. A/K/A 2356-58 S. Kinnickinnic Av. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the propose awning sign meets the criteria for a Type 'A' awning sign as described in s.407-2-b-3-a.</li> <li>5. That the two proposed Type 'B' wall signs are limited to a maximum sign area of 25 square feet each.</li> <li>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	24939 Special Use	<p>Pastor Julian Jasper Zion Rock Missionary Baptist Church;Property Owner</p> <p>Request to occupy a portion of the premises as a day care center for 34 children ages 2yrs-6yrs, Monday-Friday 6:30am-6:00pm.</p>	<p>10236 W. Fond Du Lac Av. A/K/A 10230-36 W. Fond Du Lac Ave. 15th Dist.</p>
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping along the W. Fond du Lac Ave. frontage is installed according to the plan submitted to the Board of Zoning Appeals on 10/2/2000 within 60 days of the Board's approval of this special use.</p> <p>5. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for institutional and educational occupancies.</p> <p>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

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24	24927 Special Use	Alpha Womens Center, Prospective Buyer  Request to occupy the premises as a social service facility.	4820 W. Lisbon Av. 17th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s.295-605-5 of the Milwaukee Zoning Code.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

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25	24934 Special Use	Arthur Beiersdorf, Lessee  Request to occupy the premises as a motor vehicle repair facility (window tinting).	1969 W. Hampton Av. 1st Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That no disabled or unlicensed vehicles or parts are stored outside.</li> <li>5. That all repair work is conducted inside of the building.</li> <li>6. That no work or storage of vehicles occurs in the public right of way.</li> <li>7. That there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>8. That there is no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</li> <li>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</li> </ol>	
26	24954 Use Variance	Troy Easley, Lessee  Request to occupy the premises as a sit-down restaurant.	5148 N. Teutonia Av. 1st Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
27	24930 Dimensional Variance	Domenico M. & Amelia L. Ferrante Property Owner  Request to subdivide the parcel without the required side setback on the existing multi-family dwelling.	1645 N. Astor St. 3rd Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
28	24955 Use Variance	Munem Abukhamireh, Lessee  Request to occupy the 1st & 2nd floors of the premises as a personal service facility(salon).	3043 N. Oakland Av. A/K/A 3041-43 N. Oakland Ave. 3rd Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the variance is granted for a period of 1 year during which time the petitioner must apply for a zoning change request to the Department of City Development - Planning Administration to change the zoning to RT4 which will allow the salon as a permitted use.  5. That this Variance is granted for a period of one (1) year, commencing with the date hereof.	
29	24851 Use Variance	Fabco Equipment Inc., Lessee  Request to erect an 8 ft fence with barb wire along the street side property line.	2601 W. Clybourn St. 4th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	24913 Dimensional Variance	Jehovah-Jirek Worship Church Alice Hicks; Lessee  Request to occupy the premises as a religious assembly hall without the required parking.	8432 W. Lisbon Av. 5th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
31	24879 Special Use	Charlotte Jemison & Betty Jamerson Lessee  Request to occupy the premises as a day care center for 60 children with the ages of 3mo-12yrs, Monday-Friday 5:00am - 11:00pm.	9818 W. Sheridan Av. 5th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</p> <p>5. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for institutional and educational facilities.</p> <p>6. That vehicle doors are removed from the building and the door openings are infilled with approved material.</p> <p>7. That all Board of Zoning Appeals conditions are met before occupying the building.</p> <p>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
32	24615 Special Use	Sharon Anthony, Property Owner  Request to occupy the premises as a 24 hr day care facility for 8 children, 6mo-12yrs, Monday-Friday.	4935-39 N. 76th St. 5th Dist.
	Action:	Adjourned from a prior hearing	
	Motion:	This matter was adjourned at the request of the petitioner and will be rescheduled at the next available hearing.	
33	24872 Special Use	Olyfunmilayo Abioye, Property Owner  Request to occupy the premises as a 24hr day care facility for 8 children ages 6wks-12yrs, Monday-Saturday.	5801 N. 76th St. 5th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	3 Ayes, 2 Nays, Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	24882 Special Use	Ella Flippin, Prospective Buyer  Request to occupy the premises as a day care center for 80 children between the ages of newborns-3yrs, Monday-Friday 6:00am-6:00pm.	2462 W. Fond Du Lac Av. 7th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for institutional and educational occupancies.</li> <li>5. That the vehicle doors are removed and the door openings are infilled with an approved material.</li> <li>6. That all Board of Zoning Appeals conditions are completed prior to occupancy.</li> <li>7. That a revised site plan which delineates on-site parking and the location and size of the fenced outdoor play area must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>8. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</li> <li>9. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>10. That the outdoor play area is separated from the parking area / vehicle operating area by some type of physical barrier such as bollards.</li> <li>11. That one parking space is eliminated from the site plan which would then establish a play area of 1300 sq. ft. and 7 parking stalls on site.</li> <li>12. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
35	24917 Special Use	Amazing Ministries, Property Owner  Request to continue occupying the premises as a religious assembly hall.	5418 W. Burleigh St. A/K/A 5412-30 W. Burleigh St. 7th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Donald Jackson.	
	Vote:	5 Ayes, 0 Nays, Abstained.	
36	24875 Special Use	New Hope Child Development Center Lessee  Request to occupy the second floor of the premises as a elementary/secondary school.	4630 W. Burleigh St. A/K/A 4316-34 W. Burleigh St. 7th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
37	24904 Special Use	Bulk Petroleum Corp., Property Owner  Request to raze the existing structure and construct a new motor vehicle pumping station and convenience store operating 24 hours.	2312 W. Fond Du Lac Av. A/K/A 2306 W. Fond Du Lac Ave. 7th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	24905 Special Use	LakePointe, LLC Bina Associates, Inc.;Property Owner	812 S. Layton Bl. 8th Dist.
		Request to raze the entire structure and canopy and construct a new pumping station, convenience store open 24 hours and car wash on the premises open 7 a.m. to 8 p.m.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the landscaping and screening plans submitted to the Board of Zoning Appeals on May 19, 2003 must be upgraded to include a 6-foot high opaque wood fence along the eastern property line to provide a residential buffer. Revised plans must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That signage plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. Specifically, if the petitioner proposes to construct a 40 square foot monument-style sign under the Bonus Provision of s. 295-605-5-c, the base of the monument-style sign must equal the sign width and the entire sign must not exceed 8 feet in height.</p> <p>6. That site illumination plans (photometric plan) which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>7. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. types associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</p> <p>8. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>9. That the petitioner submit a revised plan of operation which includes the hours of operation for the filling station (24 hours), convenience store (24 hours) and car wash (8 a.m. to 8 p.m.).</p> <p>10. That there is no outdoor storage or display of products or merchandise.</p> <p>11. That there is no outdoor display of banners or other advertising except signs that are approved by permit and on the site plan.</p> <p>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	24919 Special Use	Harry Kaufman Motorcars, Inc. Lessee  Request to add a display area for two vehicles to the existing motor vehicle sales facility.	5744 W. Good Hope Av. A/K/A 5702-44 W. Good Hope Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
40	24744 Special Use	Rev. Floyd Taylor Macedonia Baptist Church;Property Owner  Request to occupy the premises as a religious assembly facility.	7245 N. Teutonia Av. A/K/A 7265 N. Teutonia Ave. 9th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That the site is landscaped according to the landscape plan submitted to the Board of Zoning Appeals on 2/28/03 and approved by DCD on 3/12/03.  5. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code.  6. That the applicant obtains an occupancy certificate and complies with all State commercial code requirements for places of assembly.  7. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	24957 Special Use	Byson Properties XII Dale Dobroth;Property Owner	6442 N. 76th St. 9th Dist.
		Request to occupy the premises as a general retail establishment with a drive-through facility open 24 hours and a queue lane less than 200 ft.	
	Action:	Granted 15 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That signage plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>7. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	24925 Special Use	Sherita White Teach and Play Land; Lessee  Request to occupy the premises as a day care center for 24 children (8 per shift), 24 hours per day, Monday thru Friday.	3901 N. 26th St. 10th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 1 Nays, Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.</li> <li>5. That the day care operator must continue to reside on the premises.</li> <li>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	24864 Special Use	Maebell Burrell, Property Owner  Request to increase the hours of operation from 6:00am-12:30am to 24hrs Monday-Sunday, of the existing day care center for 150 children (fifty children per shift maximum) ages 4wks-12yrs.	4122 W. Fond Du Lac Av. 10th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the outdoor play area is not utilized after 8:00 P.M.</li> <li>5. That all conditions of BOZA decision No. 22875 are complied with.</li> <li>6. That a loading zone is obtained in front of the site.</li> <li>7. That the number of children is limited to fifty (50) at any one time.</li> <li>8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</li> </ol>	



<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
44	24831 Use Variance	<p>Tapat Properties, LLC Midwest Community Services, Inc.;Property Owner</p> <p>Request to occupy the premises as a transitional living arrangement for 8 individuals.</p> <p>Action:                   Granted 2 yrs.</p> <p>Motion:                 Henry Szymanski moved to approve the appeal. Seconded by Donald Jackson.</p> <p>Vote:                     4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> <li>1.           That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2.           That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3.           That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4.           That this Variance is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	<p>3126 S. 66th St. 11th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	24912 Special Use	La Causa Inc., Property Owner  Request to occupy the premises as an outdoor merchandise sales facility.	825 S. 5th St. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the activity shall be restored to its previous condition following termination of the market operation</li> <li>5. That the activity shall not produce glare, spill light or noise in violation of ch.80 of the City of Milwaukee Code of Ordinances</li> <li>6. That any signage meet the spirit and intent of s.295-407 of the Milwaukee Zoning Code.</li> <li>7. That the applicant provides access to public restrooms during hours of operation.</li> <li>8. That this Special Use is granted for a period of time commencing with on July 1, 2003 and expiring on September 1, 2003.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	24918 Special Use	Rabinder S. Khara, Property Owner  Request to raze the existing structure and construct a new motor vehicle pumping station with a convenience store continuing to operate 24hrs, and car wash facility open from 6:00am-10:00pm.	1831 W. National Av. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the premises is landscaped and screened according to the landscape and screening plan submitted to the Board of Zoning Appeals on 5/1/03.</li> <li>5. That signage must conform to the sign standards of s. 295-407 of the Milwaukee Zoning Code.</li> <li>6. That the submitted site illumination plan is revised so that illumination does not exceed 5 foot-candles along the north property line.</li> <li>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</li> <li>8. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</li> <li>9. That there is no outdoor storage or display of products or merchandise.</li> <li>10. That there is no outdoor display of banners or other advertising except signs that are approved by permit and on the site plan.</li> <li>11. That there be no pay phones located outside on the premises.</li> <li>12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</li> </ol>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
47	24876 Special Use/ Use Variance	Ernesto Villarreal El Rey Mexican Foods;Property Owner  Request to raze the existing structure and occupy the premises as a surface parking lot.	1621 W. Mineral St. A/K/A 1621-23 W. Mineral St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the Special Use appeal. Seconded by Catherine Doyle. Scott Winkler moved to dismiss the Use Variance appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 1 Nays, 0 Abstained. (Special Use) 4 Ayes, 0 Nays, 1 C. Zetley Abstained.(Use Variance)	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.  5. That signage plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.  6. That site illumination plans (photometric plan) which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.  7. That the Use Variance (295-505-4-b-3) requested to park in the front setback is dismissed without prejudice.  8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
48	24923 Special Use	Kunal Enterprise	536 W. Lapham Bl. 12th Dist.
		Request to occupy the premises as filling station with a convenience store open 24 hours a day.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 1 Nays, Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-407 of the Milwaukee Zoning Code.</p> <p>5. That a revised landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. The revised plan must include screening for the dumpster enclosure, residential buffer screening to the north abutting residence, and identifiable pedestrian links from the building to the W. Lapham Blvd and S. 6th St frontages</p> <p>6. That site illumination plans which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>8. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises.</p> <p>9. That there is no outdoor storage or display of products or merchandise.</p> <p>10. That there is no outdoor display of banners or other advertising except signs that are approved by permit and on the site plan.</p> <p>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	24907 Appeal of an Order	Richard R., Jeffrey A., David E. Sterling Property Owner  Request to appeal an order of the Department of Neighborhood Services determining the occupancy to have an outdoor storage facility.	3955 S. Howell Av. 13th Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
50	24952 Appeal of an Order	Salvation Army ARC Mark Anderson;Property Owner  Request to appeal an order of the Department of Neighborhood Services determining the occupancy to be a secondhand sales facility.	2254-64 S. Kinnickinnic Av. 14th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to uphold the order. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
51	24608 Dimensional Variance	Sandra Lee Karshna, Property Owner  Request to construct a 6 ft. fence along the front setback.	3142 S. Ellen St. 14th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 1 Nays, Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	24931 Special Use	Milwaukee Metropolitan Credit Union Christine Timm;Property Owner  Request to continue occupying the premises as a bank with and expand the existing drive-thru facility without the required distance from residential and the minimum queue lane on site.	1923 W. Oklahoma Av. A/K/A 1923 W. Oklahoma Ave. & 3113 S. 19th St. 14th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
53	24891 Special Use	QC Financial Services Inc., Lessee  Request to occupy a portion of the premises as a payday loan agency.	8328 W. Brown Deer Rd. A/K/A 8310-60 W. Brown Deer Rd. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	24787 Special Use	Mrs. Lakita Lee-Walker, Lessee  Request to occupy the premises as a 24hr day care center for 24 children (8 children per shift maximum) ages wks-12yrs, Monday - Sunday.	1921 N. 27th St. 17th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the parking area at the rear of the site is available for employee parking.</li> <li>5. That no signage be erected on the premises.</li> <li>6. That the play area not be utilized before 9 a.m. or after 8 p.m.</li> <li>7. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	24836 Dimensional Variance	James Schulhof, Property Owner  Request to increase the number of units in the Board approved rooming house from 8 to 10 units increasing the number of occupants to 51 without the required parking.	1722 W. Wells St. 17th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That rooming house occupancy is limited only to Marquette University students.</p> <p>5. That the parking area be paved and 6 parking spaces be created.</p> <p>6. That this Special Use and this Variance are granted for a period of time commencing with the date hereof and expiring on September 30, 2007.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	24676 Special Use	Keith Stribling Victory Center West Lessee	4429-31 W. Lisbon Av. 17th Dist.
		Request to occupy the a portion of the church as a transitional living facility for up to 8 persons.	
	Action:	Granted 3 yrs.	
	Motion:	Catherine Doyle moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows are restored to clear glass and are maintained in an attractive manner.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That the applicant obtains an occupancy certificate and complies with all State commercial code requirements for churches and rooming houses.</p> <p>7. That the building remain vacant until an occupancy certificate is issued.</p> <p>8. That felons convicted of sexual offences ( i.e. rape or child molestation) be prohibited from becoming tenants of the facility.</p> <p>9. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	24920 Special Use	Katherine M. Handy, Lessee  Request to occupy the premises as a day care center for 8 children, ages of 6wks-12yrs, Monday-Friday 6:00am-10:00pm.	4641 N. 28th St. 1st Dist.
	Action:	Granted 1 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 1 Nays, Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the play area is not utilized before 9 a.m. or after 8 p.m.</p> <p>5. That no signage regarding the day care be erected on site.</p> <p>6. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p>	
58	24849 Special Use	Deborah N. Allen, Other  Request to increase the hours of the drive thru facility to 24hrs, of the existing fast food/carry out restaurant.	2700 W. Capitol Dr. A/K/A 2710 W. Capitol Dr. 1st Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	24922 Special Use	Thelmer J. Lock, Property Owner  Request to occupy the premises as a day care facility open from 7 a.m. to midnight Monday - Thursday and 7 a.m. to 5:30 p.m. on Friday, for a total of 24 children (8 per shift) ages 6wks-12yrs,.	7120 W. Villard Av. A/K/A 7118-20 W. Villard Ave. 2nd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no signage referencing the day care be utilized on site.</p> <p>5. That the outdoor play area must not be utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	24723 Special Use	Darry Tucker, Lessee  Request to occupy the premises as a religious assembly facility (with 20 members) and a social service facility.	6114 W. Capitol Dr. 2nd Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That the applicant submit a revised plan of operation.</li> <li>5. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</li> <li>6. That the social service facility not service or enroll more than 10 clients at any given time.</li> <li>7. That the applicant obtains a certificate of occupancy and complies with all the State commercial code requirements for places of assembly.</li> <li>8. That all current code violations are corrected prior to the issuance of a final occupancy certificate.</li> <li>9. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
61	24833 Special Use	Jermaine Reed FreshStart Therapeutic Center, Inc.; Lessee  Request to occupy the premises as a social service facility.	7101 W. Capitol Dr. 2nd Dist.
	Action:	Adjourned	
	Motion:	Catherine Doyle moved to adjourn the appeal. Seconded by Roy Nabors.	
	Vote:	3 Ayes, 1 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
62	24835 Special Use	Terrance Sims, Prospective Buyer  Request to occupy the premises as a religious assembly hall.	6103 W. Capitol Dr. A/K/A 6101-03 W. Capitol Dr. 2nd Dist.
	Action:	Granted 1 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 1 Nays, C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code.</li> <li>5. That the windows along the West Capitol Drive frontage remain as transparent glass.</li> <li>6. That the applicant retain all parking arrangements that alleviate the need for a parking Variance.</li> <li>7. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for places of assembly.</li> <li>8. That the boiler is inspected and certified prior to occupancy.</li> <li>9. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	
63	24848 Special Use	Deborah N. Allen, Other  Request to increase the hours of operation of the drive thru facility of the existing fast food / carry out restaurant to 24hrs.	5265 W. Fond Du Lac Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
64	24885 Special Use	4 Star Achievement, Lessee  Request to occupy the premises as a community center.	6107 W. Fond Du Lac Av. A/K/A 6109 w Fond Du Lac Ave. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	
65	24971 Dimensional Variance	Jim Smith Property Owner  Request to stock pile materials in excess of height limitations without the required landscaping.	7240 W. Douglas Av. 2nd Dist.
	Action:	Adjourned	
	Motion:	This item was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	
66	24745 Special Use	Rev. Michael Champion, Lessee  Request to occupy a portion of the premises as a social service facility.	6114 W. Capitol Dr. A/K/A 6114 W. Capitol Dr. #303 2nd Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That signage must meet the signage standards of s.295-407 of the Milwaukee Zoning Code.</li> <li>5. That the applicant obtains a occupancy certificate and complies with all State commercial code requirements for places of assembly.</li> <li>6. That all current code violations are corrected prior to the issuance of the final occupancy certificate.</li> <li>7. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</li> <li>8. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</li> </ol>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	24900 Special Use	Gerald Burian, Lessee  Request to occupy the premises as a motor vehicle repair facility (applying accessories, vinyl graphics and letter to vehicles).	1652 N. Water St. 3rd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> <li>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</li> <li>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</li> <li>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</li> <li>4. That a dimensioned and scaled site plan including landscaping and screening which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</li> <li>5. That signage plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. All unused sign frames must be removed.</li> <li>6. That no disabled or unlicensed vehicles or parts are stored outside.</li> <li>7. That all repair work is conducted inside of the building.</li> <li>8. That the storefront windows are restored to clear glass and are maintained in an attractive manner.</li> <li>9. That motorcycles are not test driven in residential neighborhoods.</li> <li>10. That only one driveway be permitted to the site.</li> <li>11. That no work or storage of vehicles occurs in the public right of way.</li> <li>12. That no vehicles are parked on unpaved surfaces.</li> <li>13. That there is no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris.</li> <li>14. That there is no display of exterior banners or other advertising except signs that are approved by permit and on the site plan.</li> <li>15. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</li> </ol>	



<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	24789 Special Use	Charanjeets WIS Properties One, LLC. Darshan Dhaliwal;Property Owner	3474 N. Holton Av. 3rd Dist.
		Request to continue occupying the premises as a motor vehicle pumping station and convenience store open 24 hours.	
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That a revised landscape plan that meets the intent of city code section 295-405 is submitted to the Board of Zoning Appeals within 30 days of the date of this decision, and approved by the Zoning Administration Group prior to the issuance of any permits. The revised landscape plan should include screening of the trash enclosure and additional shrubs along the North Holton St. and East Keefe Ave. frontages.</p> <p>5. That the petitioner complete landscaping and screening within sixty (60) days from the date of the written decision.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>7. That site illumination not glare onto adjacent streets and residences.</p> <p>8. That this Special Use is granted for a period of sixty (60) days and converted to ten (10) years upon the completion of the approved landscaping and screening plan, commencing with the date hereof. If the landscaping and screening plans are not completed within sixty (60) days of the date hereof, the Special Use permit will expire and the petitioner will have to file for a new Special Use permit with the Board.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	24795 Dimensional Variance	Crossroads Church of God Property Owner  Request to construct a ground sign without the required sign area.	8001 W. Capitol Dr. A/K/A 8003-35 W. Capitol Dr. 5th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the petitioner build in accordance with plans submitted.  4. That this Variance is granted to run with the land.	
70	24481 Special Use	Payday Loan of Wisconsin, Inc., Lessee  Request to occupy a portion of the premises as a payday loan agency.	6917 W. Brown Deer Rd. A/K/A 6801-6917 W. Brown Deer Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
71	24480 Special Use	Payday Loan Store of Wisconsin, Inc. Prospective Buyer  Request to occupy the premises as a payday loan agency.	4235 W. Silver Spring Dr. 9th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
72	24482 Special Use	Payday Loan of Wisconsin, Inc. Prospective Buyer  Request to occupy the premises as a payday loan agency.	11414 W. Silver Spring Dr. 15th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
73	24684 Special Use	Pam Kaleka, Prospective Buyer  Request to construct a motor vehicle pumping station, convenience store, car wash, and a type 'B' restaurant.	1633-45 W. Forest Home Av. A/K/A 1633-45 W. Forest Home Ave. & 1981 S. 16th St. 12th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the site is developed according to the revised site plan submitted to the Board of Zoning Appeals on 5/6/03.</p> <p>5. That site illumination plans which meet the lighting standards of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>7. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia not be sold on the premises.</p> <p>8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<b><u>Item No.</u></b>	<b><u>Case No./ Case Type</u></b>	<b><u>Description</u></b>	<b><u>Premises Address/Ald. Dist.</u></b>
74	24797 Rehearing Request	Shawna K. Whitehead, Lessee  Request a rehearing to occupy the premises as a day care facility for 8 children ages 4wks-12yrs, Monday-Friday 6:00am-10:00pm.	4672 N. 40th St. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
75	24805 Special Use Granted	Robert B. Pyles, Lessee  Request to continue occupying the premises as a fast-food/carryout restaurant with modified operating hours (Mon. - Sun. 5 a.m. - 9 p.m.(for dine in only), Sun - Tues 5 a.m. - 1 a.m. (drive thru) and Weds. - Sat. 5 a.m. - 3 a.m. (drive thru).	5739 W. Silver Spring Dr. A/K/A 5803 W. Silver Spring Dr. 9th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.  2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.  3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.  4. That landscaping and screening is maintained in a manner that meets the intent of city code.  5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel.  6. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.	
76	24761 Special Use	Thomas McNeal, Prospective Buyer  Request to occupy the premises as an assembly hall(banquet hall).	6263 N. Teutonia Av. 9th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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**Other Business:**

Board member Szymanski moved to approve the minutes of the May 8, 2003 meeting. Seconded by Board member Doyle. Unanimously approved.

The Board set the next meeting for June 26, 2003.

Board member Szymanski moved to adjourn the meeting at 9:03 p.m.. Seconded by Board member Winkler. Unanimously approved.

**BOARD OF ZONING APPEALS**

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Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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